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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Case: WM 132

Applicant(s): Frank Hartmann  
Serial No.: 10/643474  
Filing Date: 19/08/03

Title: SOFTTOP VEHICLE ROOF WITH A SEALING ELEMENT

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June 25, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

**Petition under 37 CFR 1.181**

This is a petition to the Commissioner to accord the above -identified application the filing date of 08/19/03.

The facts:

A NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION was received in the above-identified case on 06/24/04, since allegedly the application was deposited without drawings. However a review of the files of the undersigned indicates clearly that the drawings were submitted together with the filing documents:

Enclosed are:

- a) The application cover sheet listing the content of the application including 2 drawings.
- b) The return postcard listing 2 drawings with the US Patent Office receipt acknowledgement including Serial number and date.

AT&T MAIL CENTER 355 LINDENWOOD RD. ST. LOUIS MO 63124-2201

07/01/2004 AWONDAF1 00000112 500465 10643474

01 FC:1460 130.00 DA

07/01/2004 AWONDAF1 00000028 500465 10643474

01 FC:1051 130.00 DA

It is therefore respectfully asserted that the drawings were included with the filing documents, but were lost in the Office and that the application is entitled to the filing date of 08/19/03.

Enclosed herewith are copies of the drawings which should be entered in place of the drawings lost by the Office.

The petition fee of \$ 130.—should be charged to deposit account No. 500465, but it is requested that the petition fee is waived or refunded, since the drawings were in fact included in the application and the application is therefore entitled to the original filing date.

Respectfully submitted,

*K. Bach*

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